

Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	3

### MR. SPEAKER:

*Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred Senate Bill 176, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 4-33-2-10.5 IS ADDED TO THE INDIANA
- 4       CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5       [EFFECTIVE JULY 1, 2003]: **Sec. 10.5. As used in IC 4-33-4-21(d),**
- 6       **"gross income" means all the gross receipts a licensed owner**
- 7       **receives from the sale, transfer, or exchange of an owner's license**
- 8       **issued under this article.**
- 9       SECTION 2. IC 4-33-4-21 IS AMENDED TO READ AS
- 10      FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. (a) A licensed
- 11      owner or any other person must apply for and receive the commission's
- 12      approval before:
- 13      (1) an owner's license is:

- 1 (A) transferred;
- 2 (B) sold; or
- 3 (C) purchased; or
- 4 (2) a voting trust agreement or other similar agreement is
- 5 established with respect to the owner's license.
- 6 (b) The commission shall adopt rules governing the procedure a
- 7 licensed owner or other person must follow to take an action under
- 8 subsection (a). The rules must specify that a person who obtains an
- 9 ownership interest in a license must meet the criteria of this article and
- 10 any rules adopted by the commission. A licensed owner may transfer
- 11 an owner's license only in accordance with this article and rules
- 12 adopted by the commission.
- 13 (c) A licensed owner or any other person may not:
- 14 (1) lease;
- 15 (2) hypothecate; or
- 16 (3) borrow or loan money against;
- 17 an owner's license.
- 18 **(d) The commission shall impose a transfer fee upon a licensed**
- 19 **owner who sells, transfers, or exchanges an owner's license. The fee**
- 20 **imposed under this subsection is equal to:**
- 21 **(1) the gross income received from the sale, transfer, or**
- 22 **exchange of an owner's license with:**
- 23 **(A) a person; or**
- 24 **(B) a person affiliated with a person described in clause**
- 25 **(A); multiplied by**
- 26 **(2) six percent (6%).**
- 27 **The gaming commission shall deposit a fee collected under this**
- 28 **subsection in the state general fund.**
- 29 **(e) For purposes of this section, a person "affiliated" with a**
- 30 **specific person is a person that directly, or indirectly through one**

1       **(1) or more intermediaries, controls, or is controlled by, or is under**  
2       **common control with, the person specified."**

3       Renumber all SECTIONS consecutively.  
      (Reference is to SB 176 as printed February 26, 2003.)

**and when so amended that said bill do pass.**

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Representative Lytle